UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF ARKANSAS, FORT SMITH DIVISION

ADAM PIAQUADIO,	)	
	)	**Civil No. 2:14-cv-2108**
Plaintiff,	)	
	)	
vs.	)	
	)	
AMERICAN LEGAL FUNDING, LLC;	)	**MOTION TO DISMISS**
ALFUND AZ1, LLC; AMERICAN	)	**PURSUANT TO FED. R. CIV. P. 12 (b)**
LEGAL FUND MANAGEMENT AZ,	)	
LLC; C. JEFFREY HUFF; ALANEX	)	
LLC; JOHN DOES 1-50	)	**ORAL ARGUMENT REQUESTED**
	)	
Defendants.	)	

COME NOW the all Defendants (hereinafter collectively "ALF") and move this Court pursuant to Fed. R. Civ. P. Rule 12(b), sections (1), (2), (3), and (6) to dismiss this action in its entirety.

In support of this Motion ALF respectfully represent to this Court as follows:

1.   Any cause of action possessed by Plaintiff herein arises out of a contract between Plaintiff and ALFund AZ1, LLC. That contract requires any action arising out of or related to that contract to be brought in the state or federal courts located in Maricopa County, Arizona.

2.   Because of the forum selection clause, any litigation brought by Plaintiff against these defendants must be brought in Maricopa County, Arizona. Therefore, this Court should dismiss this suit or transfer it to the United States District Court for the District of Arizona pursuant to 28 U.S.C. § 1404(a).

3.   This Court is also an improper forum because all witnesses and documents relating to Plaintiff's allegations regarding the corporate forms are located exclusively in Arizona and this Court would lack the authority to enforce its order in Arizona.

4.   This Court lacks personal jurisdiction over all Defendants.

5.   Plaintiff's complaint fails to state a claim upon which relief can be granted.

Dated this 16th day of June, 2014.

AMERICAN LEGAL FUNDING, LLC and
ALFUND AZ1, LLC, AMERICAL LEGAL FUND
MANAGEMENT AZ, LLC; C. JEFFREY HUFF; AND
ALANEX LLC., Defendants

By: /s/ Diana J. Vogt
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